

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

OLEG SHULZHENKO,)	
)	
Plaintiff,)	
)	
v.)	NO: 08 C 2285
)	
LIFE INSURANCE COMPANY OF NORTH AMERICA (a CIGNA company),)	JUDGE NORGLER
)	
Defendant.)	MAGISTRATE JUDGE MASON
)	
)	

DEFENDANT’S MOTION FOR EXTENSION OF TIME

Defendant, LIFE INSURANCE COMPANY OF NORTH AMERICA (“LINA”), by its undersigned counsel, and pursuant to Federal Rule 6, respectfully moves this Court for an 18 day extension of time, up to June 16, 2008, to answer or otherwise plead to the complaint:

1. On April 22, 2008, plaintiff Oleg Shulzhenko filed this suit against LINA seeking to recover long-term disability benefits under an employee benefit plan established by his former employer. The benefit plan is governed by the Employee Retirement Income Security Act (“ERISA”), 29 U.S.C. § 1001 *et seq.* LINA issued a group insurance policy that insures long-term disability benefits under the plan.

2. On April 29, 2008, plaintiff served the complaint on the Illinois Division of Insurance as LINA’s agent for service of process. LINA received the complaint and summons from the Division of Insurance on May 9, 2008. On that date, service on LINA became effective. 215 ILCS § 5/112(2). LINA’s response to the complaint is therefore due May 29, 2008.

3. LINA respectfully requests an 18 day extension of time, from May 29 to June 16, 2008, in which to answer the complaint. LINA seeks this time so that its counsel can obtain and

review the administrative record regarding plaintiff's claim, which is maintained out-of-state. After obtaining the record, the undersigned will prepare an appropriate responsive pleading and secure LINA's comments on the pleading.

4. This extension is not requested for purposes of delay. It will not prejudice any party to the case.

WHEREFORE, Defendant, LIFE INSURANCE COMPANY OF NORTH AMERICA, respectfully requests that this Honorable Court grant it an 18 day extension, up to June 16, 2008, to answer or otherwise plead to the complaint.

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Respectfully submitted,

LIFE INSURANCE COMPANY OF
NORTH AMERICA

By: s/Peter E. Pederson
One of its attorneys